IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

Bail Appl..No. 1334 of 2007

CRMP.1072/2007 of J.M.F.C.-I,PATHANAMTHITTA
CRIME NO.130/2007 OF PATHANAMTHITTA POLICE STATION

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: PETITIONERS/ACCUSED 2,3 & 4:

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1. JAYAN, VATTATHARA VEEDU,
   MANGAMPARA CHOTTI,MUNDAKAYAM VILLAGE,
   KOTTAYAM DISTRICT.

2. SAM MATHEW, S/O JOHN,
   MANGATTETHU VEEDU,
   MANJANIKKARA MURI,
   OMALLOOR.

3. ABHILASH, S/O.RAGHAVAN,
   CHANNAINKAL VEEDU,
   MUKKALAM MURI, KOKKAYAR VILLAGE,
   IDUKKI.

BY ADV. SRI.SHAJI THOMAS PORKKATTIL
SRI.BINU PAUL

RESPONDENTS: STATE & COMPLAINANT:

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1. STATE OF KERALA, REPRESENTED BY ITS
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   PATHANAMTHITTA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1334/2007

Dated this 6th day of March, 2007

O R D E R

The petitioners, who are accused Nos. 2, 3 and 4 in Crime No.130/2007 of Pathanamthitta Police Station for offences punishable under Sections 8(2) and 55(a) and (i) of the Abkari Act for allegedly having been found in possession of 21 litres of rectified spirit on 14.2.2007 from the toddy shop of which, the second accused is the manager, the third and fourth accused are the salesmen and the first accused is the licensee, seek their enlargement on bail.

2. The detection as well as the arrest was on 14.2.2007.

3. The learned Public Prosecutor opposed the application.

4. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioners on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,
JUDGE

mrcs